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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,436	01/18/2002	Steven Spicer	T8466295US	4258

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GOWLING LAFLEUR HENDERSON LLP
COMMERCE COURT WEST, SUITE 4900
TORONTO, ON M5L 1J3
CANADA

EXAMINER

GEREZGIHER, YEMANE M

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/926,436

Applicant(s)

SPICER ET AL.

Examiner

Yemane M. Gerezgiher

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Amendment filed on 05/04/2005 has been entered. Claims 1-19 are now pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grantges (U.S. Patent Number 6,324,648) in view of Edlund et al., (U.S. Patent Number 6,085,227) hereinafter referred to as Edlund.

As per claim 1, a proxy server located logically outside a firewall from a data source located outside the firewall, the proxy server having a queue for storing the received data; [See Figure 1, Column 5 Lines 58-67: Grantges disclosed a proxy server logically located outside a firewall of an enterprise network] and a polling server located logically behind the firewall, the polling server being configured for polling the proxy server to pull the received data across the firewall from the queue of the proxy server to the polling server. [See Figure 1: Grantges disclosed an application gateway having therein a proxy

server for receiving request messages originated from a client terminal in a public network and an enterprise server logically located behind the firewall of the enterprise network].

Grantges substantially disclosed the invention as claimed. However, Grantges failed to teach queuing the received requests in a queue at the proxy server and a polling server pulling the received data from the queue of the proxy server as recited in the amended claim 1.

However, as evidenced by the teachings of Edlund, it was known that a proxy server (Fig. 1 Reference # 104 and Col. 2, Lines 61-64) having therein a proxy command processor (Fig. 1 Reference # 112 and Col. 2, Lines 61-62) and a queue (Fig.1 Reference # 126 and Col. 5, Lines 26-33) and “device server computer” (“polling server”) see Fig.1, 2nd Reference # 104 and Col. 5, Lines 26-33) polling the queued requests/data at the queue of the proxy server using the device server computer (Col. 5, Lines 26-27).

Thus, it is respectfully submitted that it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Edlund related to a proxy server having therein a queue for queuing received data/request and a polling server polling the queued data at the proxy server and have modified the teachings of Grantges related to access control of network resources in order to prevent a network resource from

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getting overloaded with too many commands or request data. See Col. 5, Lines 18-22.

As per claim 3, this claim has substantially the same scope functional limitations as recited in claim 1 above, and it is rejected with the same rationale.

As per claims 2 and 4, Grantges disclosed “alias” (URL) identifying the application server resource and further the application including “alias” (additional identifier of a specific function such as “/billing” implying an application involving billing information and where the “polling server” (application gateway having therein a proxy server for polling request messages) and directing the received application request to the appropriate resource accordingly. See Column 7 Lines 1-8, Column 10 and Lines 32-54).

As per claim 5, Grantges disclosed a step of directing the received data to the network resource in accordance with the associated alias name. [See Fig. 1: Grantges disclosed an application gateway having therein a proxy server for polling request messages originated from a client terminal in a public network and an enterprise server logically located behind the firewall of the enterprise network directing the request data to the appropriate network resource].

As per claims 6 and 12, Grantges disclosed an enterprise server for obtaining the received data from the polling server and for distributing the

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received data to the network resource [Fig.1, an application gateway distributing the requested network resource applications].

As per claims 7 and 13, wherein the alias name uniquely identifies a physical network location of the network resource and is associated with a physical property of the network resource. [These claims have similar limitation as the already rejected claim 2 above and are rejected with the same rationale. Furthermore, Grantges disclosed a URL (alias name), which is usually interchangeable or associated with an IP address that is statically or permanently assigned to a server (network resource), where the network resource is physically located some where on the network. See Column 7 Lines 1-8, Column 10 and Lines 32-54].

As per claims 8 and 14, wherein the data source is a network terminal configured for communication with the network resource. [See Fig. 1, network terminal having therein a web browser configured to communicate with the network resource in the network].

As per claim 18, wherein the system facilitates access to a plurality of network resources. [See Fig. 1, Grantges disclosed providing an access to plurality of resources (App.1, App.2, App.3 and so forth) with in the secured enterprise network].

As per claim 19, wherein the method facilitates secure access to a plurality of network resources. [See Col.3, Lines 7-16, Col. 4, Lines 23-32 and

Fig. 1, Grantges disclosed a secured access using SSL ("HTTPS") referenced by #'s 54, 58, 60 and 62].

2. Claims 9-11 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grantges (U.S. Patent Number 6,324,648) in view of Edlund et al., (U.S. Patent Number 6,085,227) and further in view of Levac et al. (U.S. Patent Number 5,872,926) hereinafter referred to as Levac.

The already combined teachings of Grantges and Edlund substantial disclosed the invention as claimed. Grantges further disclosed plurality of application, which are selectable by the user at the client network terminal (Col. 15, Lines 44-51). Similarly, Edlund disclosed access control between a client network terminal and a remote device ("network resource"), which is not limited to a specific device (Fig. 1 and Col. 2, Lines 39-54).

However, both teachings as combined were silent in regards to the explicit selection of network resource from a group of network resources comprising a printing device; a facsimile machine; an image server;

An artisan now working with the already combined teachings of Grantges and Edlund related to secure access control to network resources would have been motivated to look for teachings that may have allowed accessing plurality of other services/resources. In these arts, Levac disclosed a system and a method for transmitting a source data generated by a message source

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("network terminal") to a diverse communication devices including a printing device; a facsimile machine; an image server; Levac further disclosed converting the received source data in to a format compatible by the network resource device selected by the user of network terminal. (See Abstract, Fig. 1, Fig. 5, and Col. 7, Line 64-Col.8, Line 12). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the teachings of Levac and have modified the already combined teachings of Grantges and Edlund in order to "provide a communication system that transmits a message generated by a message source to a variety of recipients communicating via diverse communication devices" see Levac Col. 1, Lines 48-59.

As per claims 10 and 16, wherein the received data is selected from the group comprising: text; image; and multimedia data. (Col.5, Lines 19-39, Grantges disclosed the network resource ("applications") receiving data from the sending party involving plurality of services receiving data in HTTP which is known to include text, image and multimedia objects].

As per claims 11 and 17, wherein the received data is in a format suitable for processing by the network resource (Col.5, Lines 19-23, Grantges disclosed the network resource ("application" receiving information from the sending party in a compatible protocol).

Response to Arguments

3. Applicant's arguments with respect to claims 1 and 3 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yemané M. Gereziher whose


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telephone number is (571) 272-3927. The examiner can normally be reached on 9:00 AM - 6:00 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached at (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yemane M. Gerezgifer
Patent Examiner, Computer Science


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100